



**DECLARATION OF SERVICE**

William J. Whitsitt v. Wheatfall, et al.

Case Number C-08-2139-BZ

I, Carmen Ott, declare and say:

I am over the age of eighteen years and not a party to the within action. My business address is 2201 Walnut Avenue, Suite 200, Fremont, California, 94538.

On July 8, 2008, I caused to be served the following documents described as:

[PROPOSED] ORDER re MOTION TO DISMISS

on the interested parties in this action by placing a true and correct copy thereof in a sealed envelope addressed as follows:

**William J. Whitsitt  
335 West Clover Road  
Tracy, California 95376**

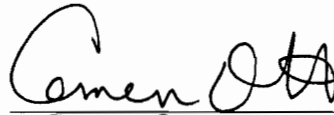
— (by personal service): I caused such envelope to be delivered by hand to the above address(es).

— (by facsimile): I caused the above-referenced document(s) to be transmitted to the above-named persons at each of their respective facsimile numbers listed above, a copy of which is attached hereto.

— (by overnight courier): I caused the above-referenced document(s) to be delivered to an overnight courier service for delivery to the above address(es).

XX (by mail): I am readily familiar with the firm's practice of collection and processing correspondence for mailing. It is deposited with the U.S. Postal Service on that same day in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if the postal cancellation date or postage meter date is more than one (1) day after the date of deposit for mailing in the affidavit.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct and that this declaration was executed on July 8, 2008.

  
Carmen Ott